

04-20-07 IFW 3731

<b>Mail Stop Issue Fee</b> <b>TRANSMITTAL FORM</b> <i>(To be used for all correspondence after initial filing)</i>		Application Number	09/698,743
		Filing Date	October 27, 2007
		Confirmation Number	6821
		Inventor(s)	BOWEN et al.
		Group Art Unit	3731
Express Mail Label No.: EV 196265375 US		Examiner	Dawson, G.
Total Number of Pages in This Submission: 6		Attorney Docket No.	99-26

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <i>(submit in duplicate)</i> <input type="checkbox"/> Fee Attached \$ <span style="border: 1px solid black; padding: 0 20px;"> </span> Check No.: <span style="border: 1px solid black; padding: 0 20px;"> </span> <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits / Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Search report <input type="checkbox"/> Drawing(s): Number of Pages _____ Number of Figs. _____ and cover sheet <input type="checkbox"/> Formal <input type="checkbox"/> Informal	<input type="checkbox"/> Assignment Papers <input type="checkbox"/> Cover Sheet <input type="checkbox"/> Drawing Change Authorization Request and Amended Figure(s) <input type="checkbox"/> Request for Return of PTO-1449 Forms <input type="checkbox"/> Petition to the Commissioner <input type="checkbox"/> To Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Address <input type="checkbox"/> Terminal Disclaimer(s) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Certificate of Mailing by Express Mail	<input type="checkbox"/> Issue fee Transmittal Form PTOL-85(b) + (c) and Cover Sheet <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Request for Continued Examination (RCE) <input type="checkbox"/> Status Request Letter <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund <input type="checkbox"/> Response to Missing Parts / Incomplete Application <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Other Enclosure(s): <u>Response to Notice to File Corrected Application Papers; Copy of Notice to File Corrected Application Papers</u>

**Current Due Date:** April 24, 2007

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Individual and Company	Michael W. Haas, Reg. No. 35,174 RESPIRONICS, Inc., 1010 Murry Ridge Lane, Murrysville PA, 15668
Signature	<i>Michael W. Haas</i>
Date	April 19, 2007

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence and all enclosures are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to: Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: <u>April 19, 2007</u> , Express Mail Label No. <u>EV 196265375 US</u> .			
Typed Name	Michael W. Haas, Reg. No. 35,174		
Signature	<i>Michael W. Haas</i>	Date	April 19, 2007



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Serial No. : 09/698743  
Applicant : Bowen et al.  
Filing Date : 10/27/00  
Date Mailed : 2/23/07

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

### *Notice of Allowance Mailed*

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 60 days from the mail date of this Notice within which to correct the informalities indicated below. If the informality pertains to the abstract, specification (including claims) or drawings, the informality must be corrected with an amendment in compliance with 37 CFR 1.121 (or, if the application is a reissue application, 37 CFR 1.173). Such an amendment may be filed after payment of the issue fee if limited to correction of informalities noted herein. See Waiver of 37 CFR 1.312 for Documents Required by the Office of Patent Publication, 1280 Off. Gaz. Patent Office 918 (March 23, 2004). In addition, if the informality is not corrected until after payment of the issue fee, for purposes of 35 U.S.C. 154(b)(1)(iv), "all outstanding requirements" will be considered to have been satisfied when the informality has been corrected. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136(a).

See attachment.

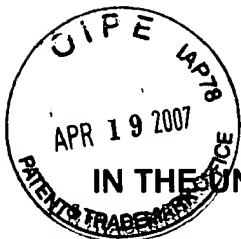
*A copy of this notice **MUST** be returned with the reply. Please address response to  
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P.O. Box 1450, Alexandria, VA 22313-1450".*

L. Kefel

Your name

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Inventor : BOWEN et al.  
Appln. No. : 09/698,743  
Conf. No.: : 6821  
Filed: : October 27, 2000  
Title: : METHOD AND APPARATUS FOR MONITORING AND  
CONTROLLING A MEDICAL DEVICE  
  
Group Art Unit : 3731  
Examiner : Dawson, G.  
Docket No. : 99-26

\* \* \* \* \*

April 19, 2007

**RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS  
(Filing Date Granted)**

Hon. Commissioner of Patents  
and Trademarks  
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Corrected Application Papers, filing date granted,  
dated February 23, 2007, applicant hereby submits the following:

1. Substitute drawing in compliance with 37 C.F.R. § 1.84 (1 sheet, Fig. 3); and
2. A copy of the Notice to File Corrected Application Papers, filing date granted, dated February 23, 2007.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.10**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on April 19, 2007 with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:

Mail Stop Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Express Mail Label No. EV 196265375 US.

  
Michael W. Haas, Reg. No. 35,174

BOWEN et al. -- Appln. No.: 09/698,743

Replacement sheet containing Figure 3 is attached. This replacement sheet is being submitted because the left side of Figure 3 was missing when the figure was copied. No changes to the figure have been made.

Although it is believed that no fee is required with this submission, the Commissioner is hereby authorized to charge any deficiency in the indicated fees or charge any overpayment to deposit account no. 50-0558.

Respectfully submitted,

By Michael W. Haas

Michael W. Haas

Reg. No.: 35,174

Tel. No.: (724) 387-5026

Fax No.: (724) 387-5021

RESPIRONICS INC.  
1010 Murry Ridge Lane  
Murrysville, PA 15668-8525